

## UNITED STATES DISTRICT COURT

for the  
Southern District of OhioIn the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)1117 Grand Boulevard  
Hamilton, Ohio 45011

Case No.

1:18MJ-239

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See attachment A

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

See attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☒ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

Offense Description

8 U.S.C. 1326

Unlawful reentry of an alien

The application is based on these facts:

See affidavit

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Ryan Tincher, Deportation Officer

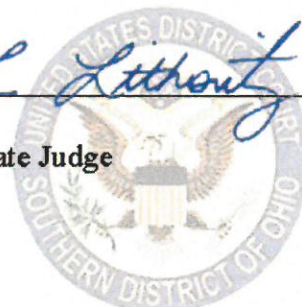
Printed name and title

Sworn to before me and signed in my presence.

Date: April 9, 2018City and state: Cincinnati, Ohio

Karen L. Litkovitz

United States Magistrate Judge



**AFFIDAVIT IN SUPPORT OF A SEARCH WARRANT**

I, Ryan Tincher, being duly sworn, do hereby depose and say:

1. I am a Deportation Officer ("DO") with the United States Department of Homeland Security ("DHS"), Immigration and Customs Enforcement ("ICE") where my duties include identifying, locating, and arresting fugitive criminal aliens. I have been a DO with ICE, formerly known as the Immigration and Naturalization Service, since September 2015. In June 2009, I completed the United States Border Patrol Academy where I was trained to enforce immigration and criminal laws. I was a Border Patrol Agent from January 2009 to September 2015. As a Border Patrol Agent, I was assigned to the Tucson Sector Prosecution Unit for three years, where I served as the case agent for hundreds of Alien Smuggling, Drug Smuggling, and Reentry after Deportation cases. Additionally, I am a part time Task Force Officer with both the U.S. Marshal Service and the Drug Enforcement Administration.

2. This affidavit is made in support of a search warrant application regarding 1117 Grand Boulevard, Hamilton, Ohio 45011, further described in Attachment A. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from official documents, other law enforcement agents and witnesses. This affidavit is intended to show that there is probable cause for the requested search warrant and does not purport to set forth all of my knowledge of, or investigation into this matter.

3. Based on the facts and information set forth in this affidavit, I respectfully submit that there is probable cause to believe that there is presently concealed at 1117 Grand Boulevard, Hamilton, Ohio 45011 a person to be arrested and evidence, fruits, and instrumentalities of a crime, as further described in Attachment B.

4. On March 1, 2018, while conducting an unrelated investigation, the Bureau of Alcohol, Tobacco, Firearms and Explosives and the Hamilton City Police Department arrested Carlos I. Ramirez and then executed a search warrant at his residence, 1117 Grand Boulevard, Hamilton, Ohio 45011. The execution of that search warrant resulted in the seizure of 99 grams of cocaine, a quantity of marijuana, and approximately \$1800 in U.S. currency. During the execution of that search warrant, Agents made contact with Ramirez's mother, later identified as Elvia MERAZ Beltran. Agents later forwarded this information to your affiant, and through a series of ICE database queries, your affiant determined that MERAZ is a previously deported alien, unlawfully present in the United States. Additionally, it was discovered that in 2011, MERAZ was convicted of violation of 18 U.S.C. § 1542 – False Statement on a U.S. Passport Application. For this offense, she was sentenced to two years of probation. It was also discovered that prior to that conviction, MERAZ had utilized a stolen identity, and utilized that stolen identity to fraudulently obtain legal permanent residency for her husband.

5. Your affiant sent two photographs of MERAZ from ICE databases to the agent who encountered MERAZ on March 1, 2018. The agent confirmed that the woman he encountered on March 1, 2018 appeared to be the same woman depicted in the photos of MERAZ.

6. A review of MERAZ's alien file (A-File), number XXX-XXX-776, indicated that on May 26, 2011, MERAZ was ordered deported from the United States to Mexico by an immigration judge. The A-file also indicated that MERAZ has been deported from the United States to Mexico on June 7, 2011 and then again November 24, 2015. Additionally, the review indicated that on April 13, 2011, MERAZ was convicted of 18 U.S.C. § 1542 – False Statement on a U.S. Passport Application in the Southern District of Ohio.



7. On April 9, 2018 an arrest warrant was issued for MERAZ for violation of 8 U.S.C. § 1326(b)(1), based on the probable cause outlined in the arrest warrant affidavit. Your affiant knows MERAZ to reside at 1117 Grand Boulevard, Hamilton, Ohio 45011, as stated by the ATF report describing the encounter with MERAZ. Additionally, on April 5, 2018, at approximately 4:10pm, a uniformed Hamilton City Police Officer was sent to her door to confirm she is still residing at the residence, under the ruse of supplying MERAZ with an additional copy of the search warrant return from the previously executed search warrant. That officer confirmed that MERAZ was at the residence at that time.

8. Based on your affiant's training and experience, I know foreign nationals will often keep identification documents bearing their identities and citizenship in their homes.

9. Based on the aforementioned facts, your affiant believes that there is probable cause to believe that there is presently concealed a person to be arrested and evidence, fruits, and instrumentalities on the premises known as 1117 Grand Boulevard, Hamilton, Ohio.

#### **REQUEST FOR SEALING**

10. It is respectfully requested that this Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the application and search warrant. Sealing these documents is necessary because the items and information to be seized are relevant to an ongoing investigation and the defendant, MERAZ, has not been arrested yet. Premature disclosure of the contents of this affidavit and related documents may have a significant and negative impact on the continuing investigation and may severely jeopardize its effectiveness. Premature disclosure may also notify MERAZ of her imminent arrest and therefore cause her to flee.

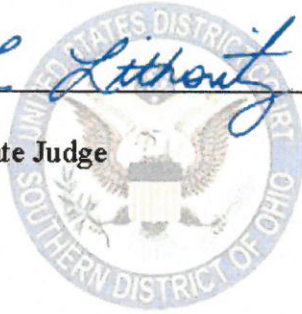


Ryan Tincher  
Deportation Officer- ICE

Subscribed and sworn to before me on this 9th day of April, 2018.



Karen L. Litkovitz  
United States Magistrate Judge



**ATTACHMENT A**

**1117 Grand Boulevard  
Hamilton, Ohio 45011**

The physical description of the residence to be searched is as follows:

2 story residence home that is the fourth structure to the east of the blocked off construction zone on Grand Boulevard, on the south side of the street.

Light brown vinyl sided, with the front entryway facing north. The residence to be searched has a white entry door (on the porch) opening to the left (inward).

The front yard is surrounded by a chain link fence approximately 3 feet high, with a gate directly in front of the house.

The back of the property is accessible by an alleyway and there is a privacy fence that appears to be surrounding the back of the property.



**ATTACHMENT B**

The descriptions of items to be seized are as follows:

1. The person of Elvia MERAZ Beltran, A-number XXX-XXX-776.
2. The evidence, fruits, and instrumentalities related to violations of 8 U.S.C. § 1326(a) and (b)(1), including any identification documents bearing MERAZ's name, photograph, known aliases, or unknown aliases.

